P.F. 1295/93

G. R. S. IX-5]

Previous references. 1893 94

192

(L.R.)

File No. 133 of 93

Serial Nos. 1—8

Later references.

L.R. 312 of 1904-05

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1—8

Major ~~Part~~ B for July 1895

SUBJECT.

Complaints of Sikka Bhils of Jagar hali, Belur Taluk, regarding the distribution of the Jodi Inam.

WD 2225 - GPB - 20,000 - 11-6-20

Pl. Intimated

(General Serial No. 32.)

1894

(1)

No. 2175

Name of Petitioner. Lubba Bhatta

Village. Biratanaii attached to Agase

Taluk. Belur

District. Hasan

Date of Arzi. 8-1-94

Date of Receipt. 25-1-94

Date of Disposal.

No. of Enclosures. Nil

ABSTRACT.

States that by seperating the
Jodi inam lands of 17 acres from
their excess assessed lands at one
+ stretch only, some (shares) got their ₹ rat
lands as jodi inam + others got th
whole lands assessed fully; + tha
has caused unequal distribution a
them. the shares of the jodi inam, s
of whom posess 1/2, others 1/4, 1/8, share etc; +
therefore that the said 17 acres of
jodi inam may be seperated from
in their respective occupied lands

12.

AR 133-93-1

Forwarded to the
Supt of Revenue Survey
& Settlement with a
request that if he has no
objection in
charging Khatab,
it cannot be so
~~Chang~~ arranged that
each shares has
his quota of Inam

CC
13/2/94

Ref. 1
1402

2

L.R. 133-93-2

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM. (2)

The accompanying Petition No. 2175
dated 8th January 1894 received at the
Dewan's Office from Lingabhatta of Bevin
grama of Belur Taluk, complaining
of the unequal distribution of Jo
Inam among the Ryots

is forwarded, together with its
enclosures, to the Superintendent of Cen
Survey and Settlement with a requ
that he will report whether the charge
Khatedari, if carried out, would be arrange
that each cultivator has grants of Jo

Draft-
(Commissioner)

By Order,

Chief Secretary.

BANGALORE,
23 JA 1894
23

M. G. C. P. Bangalore.—21-11-92—3,000.

No 550

(3)

Survey Superintendent's Office
Bangalore 27th February
1894

To,

The Chief Secretary to the
Dewan of Mysore

Sir,

I have the honor to state in reply to your official Memorandum No. Pet/1402 of the 13th Instant that when the Inam is covered by one grant no division is made and the Hissadars must arrange amongst themselves. We have no information of the extent enjoyed as Inam by each Hissedar and the only remedy is to let

the

the Kissedars arrange amongst themselves for both Inam and Khalsát. Enclosure is returned.

I have the honor to be
Sir
Your most obedt. Servant

Supdt Mysore Rev. Survey

(General Serial No. 30.)

13217

3 1894. Pet 591

From The Chief Secretary to the Dewan of Mysore.

Survey

(3)

To

The Chief Secretary to the Dewan of Mysore.

Dated Bangalore 27th Feb: 94

Despatched

Received

Enclosures No.

General No. 550
No.

In reply to Pet dated 13th February 94
1402

SUBJECT

Reporting upon the question of distribution of Jodi grain among the Risaldars

Submitted & to be perused with reference

6/3

L.R. 133-93-3

Forwarded to the Dy Comr — 2 of the Amildars cannot arrange among themselves for the payment of the Khalsa assessment the Dy Comr may treat Khalsa asst as Jodi on the entire area & levy the Contribution required in proportion to the asst of the land held by each shareholder

C.S. 6/5/94

Chief Secretary

R. Rao 2nd/2

References (to be entered only in the Dewan's Office).

6 (4)

Proceedings of the Govt
of H. H. the Maharaja
of Idpore

Read

(1) Petition dt 21st Jany 1893
from Lavira Bhatta of
Nigerali, Belur
Taluk, complaining that
of the Jodi Bhatmanya
lands in the village
which were in the
enjoyment of several
shares in defined shares
a portion measuring
1" acres in the possession
of one of the sharers
was alone treated as
Inam, while the rest
in the possession of
other shares was at the
Survey Settlement
treated as Kharkat and
fully assessed, and
praying that portions
of the Jodi may be
located in the lands

held

J. R. 133-23-4

held by all the shares,
in proportion to their
several shares."

(2) Official memo No. 402 dated
13.2.96 to the Engl. Res.
Survey engaging whether
in charging Khalsa it
cannot be so arranged
that each share has
his quota of Imam.

(3) The following reply from
the Engl. Res. Survey
No. 553 dated 27.2.96
"Please the Imam's right in respect of Mauza No. 1st/1602 of the 13 Pargs.
that as far the Imam is
covered by no grant no
division is made and
the Shareders must
arrange amongst them-
selves ~~and that Government~~
We have
no information of the
extent enjoyed as Imam
by each Shareder and
that the only remedy is
to let the Shareders
arrange amongst them-
selves for their Imam
and Khalsa."

886

8 Dec. ✓ (4)

Order re $\frac{22616-7}{P.T.137-93}$ 9.12.6.94. $\frac{1}{25}$

Under the circumstances represented the Valuer's assessment should be charged as paid on the entire Drain and the combined Rail; Road assessed from the Shares in the proportion of the Sewer valuation of the Lenton & the Drain laid by them

Re-draft

Chief Secretary

To the Sewers Committee for Sewers and Drain Purposes & Highways & Footpaths with letter.

Gen. Serial No. 30.] 16664

1894 Pet 699

From The Dy Commissioner
Hassan District

To (6)

The Chief Secretary to the Govt
~~Dewan~~ of Mysore.

Dated 31st May 1895

Despatched

Received

Enclosures No. 1 file V. Pc.

General No. 908 of 1894-95
No. 5.

In reply to No. 22616 dt 19th June 1894
P.F. 139-93

SUBJECT.

Stating that in order to give effect to the Govt instructions regarding the Khalsa assessment being charged as Jodi on the subsidiary Inam & the combined Quit rent recovered from the sharers in the proportion of the Survey valuation of the portions of the Inam held by Subbabhatta & others the Survey Superintt was requested to cause the necessary entries to be made in the Khalsa assessment but he refused to do so

References—(to be entered only in the Dewan's Office).

Ref. to Pet 699/6

Sub. to the Rev. Commissioner with reference Pet 699/6

R. 133-93-6

and his letter
with Inam Supdt
Superintendents
orders thereon
22616-7 of
& 139-93
19-6-94 and
25 him whether
proposal of the
Dy Comr and
not be carried
out as it seems
to be in consonance
with the views of
Govt embodied in
the above order
& will also appa
rently satisfy
the mandamus
writ
8/6/95
Mysore

Drafted SUR 12/6

No. 908/5

From

Dy Commissioners Offi
Hasan District
Dated Hasan 31st May
P. R. Purnaiya Esqu
Dy Commissioner
Hasan Distr

To, The Chief Secretary to
Govt of Mys

Sir,

I have the honor to
that in order to give effe
the instructions conveyed
Govt Proceedings No 22
dated 19th June 1894, regard
the Khalsat assessment be
charged as Jodi on the futu
and the combined quit-re
-covered from the Shareho
proportion of the Survey v
-ation of the portions of the
held by Subbabhatta and o
I requested the Survey Supe
in my Canarese No 915 dated
to cause the necessary corre
to be made in the Khalsat st
-ment, but he refused to do so
his No 543 dated 8th February 189
the Khalsat Statement is corre

No 2175 9

25-6-94

Private Secretary's Office
Petition Branch
Dated 18th June '94

(5)

J. R. 193-98-K5

Endorsement granted to Subadhikari of Khandakali, Bellur Taluk, in reply to his petition No 2175 dated 8th January 1894, complaining that the share held by one of the Hissedars of the Bhattanama Inam in the village was alienated as Jodi and that the shares of the other Hissedars were treated as Kulavanth and fully assessed.

Petitioner is referred to the Revenue Commissioner to whom instructions have been issued.

By Order

Asst.

18/6/94

for Chief Secretary

it cannot be said that the evidence
from Government Concerned
in the aforesaid proceedings are
carried out and the Conjicent
of the Surveyors finally signed
of. Therefore request that you
will be good enough to avail the
Survey Superintendent to add
the Khalsat statement & the amount
quit-rent and show the whole
amount as paid and Sudes the
same in the Statement, at the
same time showing the whole as
an Inam. That is to say the
Survey Surveyors that were treated
as Khalsat should be shown as
Inam and the Statement correct-
ed accordingly. -
2. The remarks taken during
with the general assistant Commis-
Gadi No 578 dated 2nd March 1895
1266
are herewith submitted for
further reference. -
3. I submit herewith the form
of Khalsat Statement in which

(2) the Quit rent in col: 41 & (3) the Khalsat amount, all forming the combined Jodi of Col: 44 (43).-

4. In the case in question the combined Jodi (i.e. Quit rent Rs. 4-12-1 for - mer Jodi being included with the Khalsat amount 28-9-2) will be Rs. 170-8-4 (137-8-4). To give effect to the order of Govt this Sum will have to be proportionately distributed according to the Enjoyment of Share holders. If they are found to Enjoy Entire Survey numbers, then as in the case in question, there are 3 Survey numbers and 2 Paiki Survey numbers, the proportionate amount on each Survey number and Paiki number will be shown in the margin. Where again any one Survey number or Paiki number in itself is Sub divided amongst Several Share holders these details and details of further Sub divisions

Combined Jodi	Rs.	as.	Ps.
Survey No. 11	52	4	4
" 15	46	2	3
" 3	56	4	10
Pt of 18	8	4	4
" 9	8	4	7
Total	170	8	4

and proportionate amounts could be shown in a Subsidiary Register to be kept in the Taluk, analogous to the Plant Mul Patrik. This will be the basis of collection Kulwar from each shareholder separately where necessity arises for such Kulwar collection.-

5. In the foregoing para I have merely explained how effect will be given to the government order in question. But whatever Subordi-nate detail may be arranged in the Revenue Department for determination of individual liability for Kulwar collection, the main complaint of the Inamdars remains unredressed if, in pursuance of the government order above quoted and now in reply, the Survey Superintendent does not alter the form and change the head under which the lands are entered namely from

adopted marked A and the altered form marked B pro-
-posed to be adopted. It will be seen that the chief difference lies in the circumstance that referred in Form A the Rental Lands are not entered under head Loan and therefore are liable to be treated as part of the ordinary Revenue in all respects - in Form B they are shown as Loan the balance of the Lands shown as Rental being clearly and unmistakably shown as Loan. This is the Core of contention of the Examiners. Without such alteration they would not be satisfied. The second object in which there is difference is that the Rental Amount in column 43 is shown as a constituent part of the combined total shown in column 44, the different constituent parts being (1) former total in col. 43

Khalsat to Imam. The appreciation of Imamdaro is that on failure to pay the Khalsat amount on any one land - the same is sold and the purchaser will obtain clear land bearing full Survey valuation. Whereas if the land was classed as Imam and the Jodi Quit-rent and Khalsat proportionately allotted, the land would continue to Imam in the hands of the present holders or in the hands of purchasers from them by private negotiation or by coercive sale for arrears. The lands having been enfranchised by imposition of Quit-rent, such transfer could not take be recognised. -

I have the honor to be
Sir,
Your most obt. Servt.

M Purcell

Asst. Commissioner
Rajkot District

the Inamdars.

By order

Draft. Rec: Secty:

REVENUE DEPARTMENT
DEWAN'S OFFICE
No. 690
No. R476
26 JUL 95

1895

From

The Superintendent of
Inam Settlements in Mysore,
Bangalore.

To

The ~~Chief~~ Secretary to the
Government of Mysore.

~~Legal Rev and Statistics~~

Dated 24th
Despatched 26th } July
Received

Enclosure No.

No. 12 of 1895–96

Submits his remarks regarding the treatment of a portion of certain Bhatamanium lands as Khalsa in Agasarahally village Belur Taluk.

Rev

Ref re
Works

Petition Branch

Please put up the references quoted within.

30/7

1/8/95

Gen. Serial No. 31.]

189

From 17 P. (7)

L.R. 133-93-7

To Dy. Supt. of Imam Settlements.

Dated 8

Despatched 17 June/95

Received

Enclosures No. 1 Copy

General No. 23324

P.F. No. 139-93

Lt. C. No. 2216-17 dated 12th June 1894 on the Complaint of Lieutenants of Agricultural Bela, Taluka regarding the retirement of Rights of ~~Cultivators~~ Khatmars & Cultivators in the Village ~~Khatmars~~ in Khalsat.

With reference to the above has the honor to forward herewith copy of letter No. 208 dated 31st May 1895 from the Dy. Comr. Hissar District on the subject and to request that the Imam Sahib will be good enough to ~~report~~ state if any proposal of the Dy. Comr. herein should not be carried out so it seems to be in accordance with the terms of G.I.F. sanctioned in the above order and will also apparently satisfy the

No. 12

From Supdt Offices
Bangalore 26th July 1870.

To,

The Revenue Secretary to the Government
of Mysore

Sir,

In reply to your Letter, No. 2224/769-83 dated 8th June 1870, on the subject of Cornet Chinnaiya Lunni in Yelandur, I have the honor to submit the following remarks.

2. Government order No. 2221-7/A-769-83 dated 1st June 1864, direct that the Minister (sic) Sowcars shall be charged, as fee on the entire Chinnapuni the Comeini Suit, but that recovered from the Ryots in the proportion of the Survey (valuation) of the portions of the Chinnapuni each.

3. Putting aside the question, as to whether the Deputy Commissioner and myself, if Carrying the Government direction, as to fees, on Civil Suits

up

as the general question, as now represented by the Deputy Commissioner — in the decision of 30th of the 31st May last. That Office considers that Government Order A 2265-7 / A 139-3 dated 14th June 1894 directs that the whole of the Land, including both the portion retained by me, as Farm, and the portion declared to be Crown Land, to be entered as Farm. The question, now in question, differently, as in the Deputy Commissioner's decision, is, the decision of Government would entirely do away the minimum Rule, and a pre-emption would be established entitling all Crown Tenants to the Privilege, under similar circumstances, to put in a claim to have the Crown portion of the Lands enjoyed by them by pre-emption entered as Farm. There would in fact be no such thing as Crown Land, and the Land would not be liable to revision.

I understand from the order that the

Klondike

Folder (6)

Kindly turn to Session Sheet 22
the Counter of the Agreement and the
Sheet from the Name of the Claim,
Signature Number the Details of the
Case Claimed, the Claim, in respect
to the Date of the Initial Injury
Case, in Accordance. This
Payment should be Arranged for by
Cheque drawn Authority Cheque, Arrange-
=ment as the Deputy Commissioner, Mines
to Act Clause of the Letter dated 5th day of 31st
paper (b) May 1905. Clear Property Case that
Court of Claiming the Government Order
as Said, Count the Statement in my Office
for Which the Sheet of Claim is, not
Running for the Land over Claimed.

4. Regret if Time Should extend
the Order of Government Act as Specifi-
=cal to understand that it, could be
the Intention of Government to practi-
=cally cancel the Relaxation Order by

declaring

all become Inám although the assess-
-ment 22 24 would be leviable
I do not say that I object to such a
process, all I say is that the Deputy-
Commissioner's view of the case is directly
opposed to the allocation Rules.

6. In the case now in point the Inám-
-dárs failed, after repeated notice, to
appear before the Amildár and state
their wishes as to where the Inám should
be allocated. I consequently allocated
the Inám as per margin× selecting
as good lands as could be found. The remainder
of the land claimed was declared Khalsat
as per margin÷

×

Survey No	area	Assessment
11.	14.30	65-0-0
9 Pt.	2.1	8-4-0
Total	16.31	73-4-0

÷

Survey No	area	Assessment
9 Pt.	0.12	1-4-0
15 Pt.	15.18	57-8-0
18 Pt.	2.22	9-12-0
3	15-32	69-0-0
Total	34.4	137-8-0

7. I have at all
times been ready to
allocate in accordance
with the wishes of the
Inámdars when stated
ascertain them and am prepared to
do so in the present case, even now.

8. The proposal to consider the

whole

whole as Inám and to apportion the
Assessment of the Khalsa + old Jodi
and Quit-rent on each Share in proportion
tion to his actual enjoyment in survey
Evaluation is, as I have stated, opposed
to existing rules, but no doubt it would
find favour with the Inamdars. The
objections to it, apart from its being
opposed to rules, are that the shares are
liable to constant change and that
an elaborate Phut Phani would be
necessary. If the allocation rules are
considered fair, as they must be, having
the sanction of Government, the portion
declared Khalsa should be treated
as Government land in all respects
and the claim of the Inamdars is to
the Inám portion only and they can
settle amongst themselves about its
enjoyment and the payment of the
old Jodi and Quit-rent. –

I have the honor to be,
Sir,
Your most obed.t Servant
H. Pratt
Supt.t of Inám Setts.

declaring that in that case under the said Richard Kinaird Knox he entitled as Crown

5 Ejusdem autem est the question involved is one intended for which an Indian Council legislation granted is held in chancery, or in the present instance, allowed by the said, since one or other of the Chancery said, Consider himself aggrieved. Every opportunity is given to the Crown to point out in that Court as to the Constitution that any such Confirmed as Crown, such as to the Crown will not can present themselves before the Consideration for that purpose. The, Lordships therefore for the state of things now declared of cannot be found in allocating the Constituted Crown in any proceedings any, for the Crown will not agree, Crown to Remedied. Land, declared Crown has no further, connection with the Indian, Confirmed Act in the Deputy Commissioner's view of the case stated

all